

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAMES WALLACE,

Plaintiff,

CIVIL ACTION NO. 12-12656

DISTRICT JUDGE BERNARD A. FRIEDMAN

v.

MAGISTRATE JUDGE MARK A. RANDON

WAYNE COUNTY, a Michigan County,
ROBERT A. FICANO, NADER FAKOURI,
VALERIE DENHA, TOM DOWNEY,
LYNN INGRAM; all individuals sued in
official and personal capacity,

Defendants.

**ORDER DENYING AS MOOT DEFENDANTS' EMERGENCY
MOTION TO COMPEL PRODUCTION OF DOCUMENTS PRIOR TO DEPOSITIONS
(DKT. NO. 37)**

This matter is before the Court on Defendants' Emergency Motion to Compel Production of Documents Prior to Depositions (Dkt. No. 37). Defendants request an order compelling Plaintiff to provide all documents responsive to Defendants' discovery requests at least two days before any deposition. Plaintiff responded and Defendants replied on December 14, 2012 (Dkt. Nos. 43 and 44). The Court held a telephone conference on December 18, 2012.

For the reasons stated during the conference, Defendants' motion is **DENIED AS MOOT**. Plaintiff represented to the Court that Defendants have all documents that he intends to introduce at the upcoming depositions. However, if additional documents surface before the depositions, Plaintiff must provide them to Defendants immediately. Defendants must extend the same courtesy to Plaintiff, if they have documents they intend to introduce at depositions.

Defendants' request for costs and fees is **DENIED**.

IT IS ORDERED.

s/Mark A. Randon

Mark A. Randon

United States Magistrate Judge

Dated: December 20, 2012

Certificate of Service

I hereby certify that a copy of the foregoing document was mailed to the parties of record on this date, December 20, 2012, by electronic and/or ordinary mail.

s/Melody Miles

Case Manager to Magistrate Judge Mark A. Randon